



UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Blakely Sokoloff Taylor & Zafman LLP  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025

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**JUN 22 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Bodnar, et al. : DECISION ON PETITION  
Application No. 09/434,703 :  
Filed: November 5, 1999 :  
Atty. Dkt. No.: LS/0001.01 :

This decision is in response to the petition under 37 CFR 1.137(b),  
filed November 27, 2005.

The petition under 37 CFR 1.137(b) is GRANTED.


This application became abandoned June 30, 2004 for failure to timely  
submit a proper reply to the final Office action mailed March 29,  
2004. The final Office action set a three (3) month shortened  
statutory period of time for reply. Notice of Abandonment was mailed  
January 25, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1)  
the required reply; (2) the petition fee as set forth in 37 CFR  
1.17(m); (3) a statement that the entire delay in filing the required  
reply from the due date of the reply until the filing of a grantable  
petition was unintentional. The Commissioner may require additional  
information where there is a question whether the delay was  
unintentional; and (4) any terminal disclaimer (and fee as set forth  
in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

The instant petition has been reviewed and found in compliance with  
the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely  
submit a proper reply to the final Office action mailed March 29, 2004  
is accepted as having been unintentionally delayed.

This application file is being forwarded to Technology Center 2600 for  
processing of the RCE submitted herewith.

Telephone inquiries related to this decision may be directed to the  
undersigned at (571) 272-3205.

  
Alesia M. Brown  
Petitions Attorney  
Office of Petitions